

## ATTORNEY DOCKET NO. 50026/022002

Certificate of Mailing: Date of Deposit: July 26, 2005

I hereby certify under 37 C.F.R. § 1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated above and is addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Heidi Wright

Printed name of person mailing correspondence

Signature of person mailing correspondence

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Munehide Kano et al.

Art Unit:

1632

Serial No.:

09/823,699

Examiner:

Q. J. Li

Filed:

March 30, 2001

Customer No.:

21559

Title:

AIDS VIRUS VACCINE USING SENDAI VIRUS VECTOR

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Applicants submit the references listed on the enclosed Form PTO-1449, copies of which are enclosed, with the exception of U.S. patents and U.S. patent application publications.

Submission of this statement is not a representation that a search has been made, nor is the inclusion of information in this statement an admission that the information is material to patentability.

This statement is being filed after a first Office action on the merits, but before the mailing of a final Office action or a Notice of Allowance. A check for \$180.00 in 07/29/2005 TBESHAHI 00000024 09823699

01 FC:1806

180.00 OP

payment of the late submission fee set forth in 37 C.F.R. § 1.17(p) is enclosed.

If there are any other charges or any credits, please apply them to Deposit Account No. 03-2095.

Respectfully submitted,

James D. DeCamp, Ph.D. Reg. No. 43,580

Clark & Elbing LLP 101 Federal Street

Boston, MA 02110

Telephone: 617-428-0200 Facsimile: 617-428-7045

SUBSTITUTE FORM PTO-1449

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use several sheets if necessary)

Attorney Docket No.

50026/022002

Serial No.

09/823,699

Applicant

Munehide Kano et al.

Filing Date

March 30, 2001

Group

1632

(37 C.F.R. § 1.98(b))

**IDS Filed** 

July 26, 2005

|                        |  |                     | U.S. PATENT DOCUMENTS       |                 |           |                                 |
|------------------------|--|---------------------|-----------------------------|-----------------|-----------|---------------------------------|
| Examiner's<br>Initials | Document<br>Number   | Publication<br>Date | Patentee or Applicant       | Class           | Subclass  | Filing Date<br>(If Appropriate) |
|                        | 5,766,945  | 6/16/1998           | Miller                      |                 |           |                                 |
|                        | 2002/0098576 A1  | 7/25/2002           | Nagai et al.                |                 |           |                                 |
|                        | FORE   | IGN PATENT (        | OR PUBLISHED FOREIGN PAT    | ENT APPLICATION | ON        |                                 |
| Examiner's<br>Initials | Document<br>Number   | Publication<br>Date | Country or<br>Patent Office | Class           | Subclass  | Translation<br>(Yes/No)         |
|                        |  |                     |                             |                 |           |                                 |
|                        |  |                     |                             |                 |           |                                 |
|                        | OTHER DOCU   | IMENTS (INCLI       | UDING AUTHOR, TITLE, DATE,  | PLACE OF PUB    | LICATION) |                                 |
|                        | Adachi et al., "Production of Acquired Immunodeficiency Syndrome-Associated Retrovirus in Human and Nonhuman Cells Transfected with an Infectious Molecular Clone", <i>Journal of Virology</i> , 59:284-291 (1986).                          |                     |                             |                 |           |                                 |
| _                      | Allen et al., "Effects of Cytotoxic T Lymphocytes (CTL) Directed Against a Single Simian Immunodeficiency Virus (SIV) Gag CTL Epitope on the Course of SIVmac239 Infection", <i>Journal of Virology</i> , 76:10507-10511 (2002).             |                     |                             |                 |           |                                 |
|                        | Allen et al., "Tat-Vaccinated Macaques DoNot Control Simian Immunodeficiency Virus SIVmac239 Replication",<br>Journal of Virology, 76:4108-4112 (2002).  |                     |                             |                 |           |                                 |
|                        | Ayyavoo et al., "Construction of Attenuated HIV-1 Accessory Gene Immunization Cassettes", <i>Vaccine</i> , 16:1872-1879 (1998).  |                     |                             |                 |           |                                 |
|                        | Ciernik et al., Induction of Cytotoxic T Lymphocytes and Antitumor immunity with DNA Vaccines Expressing Single T Cell Epitopes <sup>1</sup> ", <i>Journal of Immunology</i> (1996).   |                     |                             |                 |           |                                 |
|                        | Clontech, "BD RetroPack PT67 Cell Line", Online catalog and U.S. Patent No. 5,766,945 (2005),  |                     |                             |                 |           |                                 |
|                        | Ensoli et al., "Control of Viral Replication and Disease Onset in Cynomolgus Monkeys by HIV-1 TAT Vaccine",<br>Journal of Biological Regulators and Homeostatic Agents, 14:579-590 (1998).   |                     |                             |                 |           |                                 |
|                        | Geffin et al., "Association of Antibody Reactivity to ELDKWA, a Glycoprotein 41 Neutralization Epitope, with Disease Progression in Children Perinatally Infected with HIV Type 1", Aids Research and Human Retroviruses, 14:579-590 (1998). |                     |                             |                 |           |                                 |
|                        | Hurwitz et al., "Intranasal Sendai Virus Vaccine Protects African Green Monkeys from Infection with Human Parainfluenza Virus-Type one", <i>Vaccine</i> , 15:533-540 (1997).   |                     |                             |                 |           |                                 |

| EXAMINER  | DATE CONSIDERED |  |  |
|---|-----------------|--|--|
| EXAMINER: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with the next communication to applicant. |                 |  |  |

| SUBSTITUTE FORM PTO-1449          |                              | Attorney Docket No. | 50026/022002         |
|-----------------------------------|------------------------------|---------------------|----------------------|
| (MODIFIED)                        | PATENT AND TRADEMARK OFFICE  | Serial No.          | 09/823,699           |
| INICODMATI                        | ON BIGGLOSUBE                | Applicant           | Munehide Kano et al. |
| STATEMEN                          | ON DISCLOSURE T BY APPLICANT | Filing Date         | March 30, 2001       |
| (Use several sheets if necessary) |                              | Group               | 1632                 |
| (37 C.F.R. § 1.98(b))             |                              | IDS Filed           | July 26, 2005        |

| OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PLACE OF PUBLICATION)   |
|---|
| Ishioka et al., "Utilization of MHC Class I Transgenic Mice for Development of Minigene DNA Vaccines Encoding Multiple HLA-Restricted CTL Epitopes <sup>1</sup> ", <i>Journal of Immunology</i> , 162:3915-3925 (1999).                     |
| Kano et al., "Induction of HIV-1-Specific Neutralizing Antibodies in Mice Vaccinated with a Recombinant Sendai Virus Vector", <i>Jpn. J. Infect. Dis.</i> , 55:59-60 (2002).  |
| Kato et al, Induction of Gag-Specific T-Cell Responses by Therapeutic Immunization with a Gag-Expressing Sendai Virus Vector in Macaques Chronically Infected with Simian-Human Immunodeficiency Virus", Vaccine, 24:3166-3173 (2005).      |
| Leung et al, "The Kinetics of Specific Immune Responses in Rhesus Monkeys Inoculated with Live Recombinant BCG Expressing SIV Gag, Pol, Env, and Nef Proteins", <i>Virology</i> , 268:94-103 (2000).  |
| Matano et al., "Cytotoxic T Lymphocyte-Based Control of Simian Immunodeficiency Replication in a Preclinical AIDS Vaccine Trial", <i>J. Exp. Med.</i> , 199:1709-1718 (2004).   |
| Matano et al., "No Significant Enhancement of Proetection by Tat-Expressing Sendai Viral Vector-Booster in a Macaque AIDS Model", AIDS, 17:1392-1394 (2003).  |
| Subbramanian et al., "Magnitude and Diversity of Cytotoxic-T-Lymphocyte Responses Elicited by Multiepitope DNA Vaccination in Rhesus Monkeys", Journal of Virology, 77:10113-10118 (2003).  |
| Takeda et al., Protective Efficacy of an AIDS Vaccine, a Single DNA Priming Followed by a Single Booster with a Recombinant Replication-Defective Sendai Virus Vector, in a Macaques AIDS Model", Journal of Virology, 77:9710-9715 (2003). |

| EXAMINER | DATE CONSIDERED |
|----------|-----------------|
|          |                 |

EXAMINER: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with the next communication to applicant.